

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

M.G., et al.,

Plaintiffs,

- against -

NEW YORK CITY DEPARTMENT OF
EDUCATION; NEW YORK CITY BOARD OF
EDUCATION, et al.,

Defendants.

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USDC SDNY
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13-cv-4639 (SHS) (RWL)

ORDER

X

ROBERT W. LEHRBURGER, United States Magistrate Judge.

The parties have proposed potential procedural mechanisms for expediting resolution of issues that may narrow the case. The Court discussed this subject at length with the parties and invited the parties to provide any additional comments by July 27, 2022. At Plaintiffs' request, that date was extended to August 3, 2022. No additional comments have been filed. Accordingly:

1. The parties are free to propose and agree to stipulate to facts at any time to narrow issues in the case.
2. With the goal of narrowing issues and potentially discovery, the parties may move for partial summary judgment before the completion of discovery. If the opposing party responds with documents or information that should have been produced previously but was not, the moving party maintains all rights to move to preclude. Alternatively, the moving party may take further relevant discovery and have its summary judgment motion denied without prejudice to renewal after additional discovery is taken.

3. The meet and confer requirement with respect to discovery disputes is modified as follows: communicating by email is sufficient, although direct phone discussions are still encouraged and likely necessary at times. The Court will not tolerate conduct that protracts the meet and confer process and will entertain letter motions to compel where a party is not being sufficiently responsive.

4. All discovery deadlines remain in place unless and until extended by order of the Court.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: August 11, 2022
New York, New York

Copies transmitted this date to all counsel of record.